HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1727 OF 2007.

Ramesh Marutrao Pawar. ..Petitioner.

Versus.

State of Maharashtra. ..Respondent.

Ms. Rebecca Gonsalves for the petitioner.

Ms. A. S. Pai APP for the State.

CORAM: S. B. MHASE &
SMT. V.K.TAHILRAMANI,JJ.

DATE: DECEMBER 12, 2007.

P.C.

1. Heard. This is a petition challenging the order passed by the DIG (Prisons) Western Region refusing to grant furlough.

2. Furlough has been rejected on a ground that a report of the DSP / Collector, Kolhapur is adverse to the petitioner. So also on the grounds that earlier when the petitioner was released on furlough he has not surrendered in due time, and on the contrary for 202 days he has enjoyed illegal freedom and ultimately he was arrested by the police, and in view of the directions given by the High Court in Writ Petition Nos. 1624 of 2004, 3019 of 2005 and 375 of 2006 he is not

entitled for furlough, and that there is an application by Sanjay Dinkar Bhopale and others that there is a danger to their life from the petitioner. So also against the accused-petitioner there are 13 offences registered and in some of them trial is pending. We find taking into consideration the reasons assigned by the authority - DIG (Prison), that the said authority is justified in not granting the furlough to the petitioner. We also feel looking to the earlier conduct of the petitioner that if he is released on furlough he may not surrender and return to the jail authorities and will mis-use the order of furlough. Therefore, we refrain to entertain the petition. Petition is rejected.

(SMT. V.K.TAHILRAMANI,J.) **(S.B.MHASE, J.)**

:sachin/2007/vkt/..